

Summary of the Accrediting Authority Committee Meeting March 13, 1997

The National Environmental Laboratory Accreditation Conference (NELAC) Accrediting Authority Committee met via teleconference from 11:00 am to 1:00 p.m. Eastern Standard Time (EST) on Thursday, March 13, 1997. The meeting was led by the Committee chair, Mr. John Anderson, Division Manager of the State of Illinois Environmental Protection Agency (IL-EPA). A list of action items is given in Attachment A. A list of Committee members/other participants is given in Attachment B. A copy of the meeting's agenda is given in Attachment C.

INTRODUCTION

Mr. Anderson welcomed all participants to the next series of Accrediting Authority Committee teleconferences, and also welcomed a new Committee member, Dr. Roger Bucholz, President of Red Hawk Laboratory, Inc. Mr. Anderson and Ms. Jeri Long have incorporated wording changes resulting from discussions held at the Second Interim NELAC Meeting (NELAC Ii) into the current version of Chapter 6. An updated copy of Chapter 6 was mailed to each committee member one week prior to the Committee meeting. This draft will be the basis for Committee discussions and finalization of the Chapter before the NELAC Annual Meeting to be held in Dallas, Texas, July 28-31, 1997.

The purpose of the meeting was to resume discussions on the revised draft of Chapter 6 for the purpose of finalizing a draft for voting at the NELAC Annual Meeting. Mr. Anderson suggested that the format for discussions begin with a systematic review of the minutes of the Accrediting Authority Committee meetings held at NELAC Ii on February 4 and 5, 1997. The following items were discussed:

- Discussions at the American Society of Quality Control Conference, February 17-18, 1997 -- Mr. Anderson reported that he had talked with Ms. Carol Batterton, NELAC Chair-Elect, Dr. Bob Stephens, Past Chair, and Ms. Jeanne Mourrain, NELAP Director, at the recent American Society for Quality Control (ASQC) conference in San Diego, California.
- Systematic Review of the February 4, 1997, Minutes of the Accrediting Authority Committee Meeting -- The minutes of the Committee meetings at NELAC Ii were reviewed item by item. Mr. Anderson has not received any written comments pertaining to the chapter since the NELAC Ii meeting.

DISCUSSIONS AT ASQC CONFERENCE

Mr. Anderson attended the ASQC Conference, and indicated that the conference devoted an entire day to discussions of the National Environmental Laboratory Accreditation Program (NELAP). Because NELAP recognition of accrediting authorities and accreditation of environmental

laboratories is consistent with ISO requirements, there was strong interest in the implementation of NELAP from industrial organizations seeking ISO 14000 certification.

Role of Third Party Accrediting Authorities - California

Although a recent California law gives authority to accredit laboratories to third party accrediting authorities, accreditation from NELAP is perceived to be preferable, particularly for laboratories seeking international recognition.

Role of the United States Environmental Protection Agency as a Laboratory Accreditor

Ms. Jeanne Mourrain indicated that a final decision has not been reached relative to the role of the United States Environmental Protection Agency (USEPA) as a laboratory accreditor when NELAP becomes implemented. Mr. Anderson and Ms. Long have treated the uncertainty of this issue by endeavoring to write universal language in the current revision of Chapter 6.

Credentials for the NELAP Assessment Team

Ms. Mourrain was satisfied with the description of the credentials for the NELAP assessment team members drafted by Dr. Jeff Flowers at NELAC Iii. These credentials are set forth in the minutes of the Accrediting Authority Committee meeting held on February 4, 1997.

Certification by ISO 14000

Mr. Anderson informed the Committee that his conversations with Mr. Gary Johnson, USEPA, Quality Assurance Division and Mr. Michael Ross, private consultant, indicated that the approach adopted in Chapter 6 for NELAP recognition of an accrediting authority (application and preliminary paper audit followed by an on-site audit) was parallel to requirements for ISO 14000 accreditation of Certification Bodies (Registrars) by either the American National Standards Institute or the Registrar Accreditation Board.

Appointment of Employees of Third Party Organizations on the NELAP Assessment Team

Currently, Chapter 6 does not prohibit the appointment of members from third party organizations on NELAP assessment teams having responsibility to evaluate accrediting authorities. However, participation of such individuals may raise conflict-of-interest (COI) issues. Therefore, this issue needs to be more carefully discussed by the Committee.

SYSTEMATIC DISCUSSION OF THE MINUTES OF THE FEBRUARY 4, 1997, COMMITTEE MEETING

The Addition of a Flow Chart(s) to Chapter 6

A suggestion was made at NELAC Iii to incorporate into Chapter 6 a flow chart describing the procedural and time frame requirements for NELAP-recognition of an accrediting authority. Ms. Aurora Shields indicated that she had already developed a time-line chart for the application process. Mr. Anderson will talk with Ms. Shields about the applicability of the time-line chart to development of a flow chart and report to a future Committee meeting.

Interim Recognition and Reciprocity

The Committee extensively discussed the appropriateness of allowing an accrediting authority having

only interim recognition to participate in granting reciprocal laboratory accreditation with other NELAP recognized accrediting authorities. Currently, Chapter 6 allows an accrediting authority with interim recognition the ability to grant such reciprocity. This approach is parallel to the position taken in Chapter 4, Accrediting Process, where interim accreditation status is allowed for laboratories that have not had an on-site audit but did meet accreditation requirements on paper. A comment was made that a number of States would prefer not to grant reciprocity if an accrediting authority had not successfully completed an on-site audit. The Committee reconsidered the issue of interim recognition and reciprocity from the standpoint of completion of the full audit process, and from the potential impact of reciprocity policies that could allow competition between laboratories providing good quality data and laboratories with a minimal interest in data quality objectives (DQOs). The Committee concurred that the two-year grace period for legislative changes associated with recognition was adequate. Mr. Bob Wyeth suggested that because this two-year time frame was adequate, Chapter 6 should be revised to allow an accrediting authority the ability to grant reciprocity only if the accrediting authority had successfully completed the on-site audit, and was deficient only in areas where legislative or rulemaking actions were required to address corrective actions. The Committee felt that the time frames specified in Chapter 6 for scheduling an on-site audit within 15 days of completing review of the accrediting authority's application, and for completion of an on-site audit within 45 days after the application is approved were acceptable and would not inject an unreasonable delay in the process for an accrediting authority to become NELAP recognized. Mr. Anderson and Ms. Long were directed to revise Chapter 6 to require that an accrediting authority in the primary position must have successfully completed the on-site audit and become NELAP recognized before a NELAP-recognized accrediting authority in the secondary position can accept laboratory accreditations from an accrediting authority in the primary position. Further, a sentence will be added to state that the ultimate decision to recognize an accrediting authority will be the responsibility of the NELAC Director. These revisions are to be included in the next Chapter 6 revision submitted for discussion at the March 21, 1997, teleconference.

Sunset Provisions for Interim Recognition

The Committee considered establishing a time limitation (such as four years) for the policy for interim recognition. However, the Committee agreed that NELAP will continue to encourage recognition of new accrediting authorities; therefore, a sunset provision for interim recognition is not appropriate.

Credentials for the NELAP Assessment Team

The "Flowers draft" has been incorporated into the revision of Chapter 6 currently before the Committee. (See minutes of the February 4, 1997, Committee meeting.)

Use of Third-Party Organizations as Members of NELAP Assessment Team

The use of third party organizations as a part of the NELAP assessment team evaluating applicant accrediting authorities was proposed during NELAC IIi because limitations might be experienced in the availability of a sufficient number of public sector candidates having credentials that meet the requirements for NELAP assessment team members.

The Committee considered that COI issues for third-party assessment team members may be very important and may override any concerns about the pool of candidates with applicable experience. On the other hand, the elimination of the potential for allowing participation from third party

organizations precludes the USEPA from selecting a contractor to serve on this team. Because the NELAP assessment team would be adhering to guidelines established by NELAC to evaluate an accrediting authority, Mr. Wyeth suggested that COI issues could be minimized. Although requirements that the NELAP assessment team be comprised only of individuals from Federal and State agencies may be restrictive, particularly in the light of budgetary constraints and limitations in travel by government agencies, Mr. Anderson suggested that maintaining the requirement that all team members be from the public sector will improve uniformity across the program. He also questioned the willingness of governmental programs to be evaluated by the private sector. The Committee concurred that the inclusion of a third-party organization on the NELAP assessment team should be a consideration only if the team were composed of at least three members. In this way, there could be a contribution from a third-party organization, but this contribution would not comprise 50% of the team. The Committee agreed that the government members of the NELAP assessment team should always represent a majority. Mr. Anderson and Ms. Long were directed to revise Chapter 6 to require that third-party organizations comprise no more than 33 1/3 percent of a NELAP assessment team. This revised language is to be available to the Committee for its March 21, 1997, teleconference.

Indian Tribes as Accrediting Authorities

The Committee discussed the possibility of either recognizing individual Indian tribes (approximately 500) as accrediting authorities, or the recognition of one accrediting authority to accredit all the tribes. Dr. Bucholz indicated that he would discuss this issue with attendees at the National Tribal Environmental Council (NTEC) meeting in April, and report discussions to the Committee. After the NTEC meeting, the NELAC Board of Directors will discuss recognition of accrediting authorities for Indian tribes.

Reciprocity

Discussions of reciprocity at NELAC IIi gave clear direction to this issue; however, there continued to be concerns about enforcement of NELAC standards across accrediting authority boundaries. At NELAC III, two categories of enforcement issues, NELAP-related issues and business-related issues, were identified. According to the joint meeting of the Program Policy and Structure Committee and the Accrediting Authority Committee at NELAC III, NELAP-related issues must be addressed by the primary accrediting authority, whereas business-related issues can be handled by the secondary accrediting authority. Sections 6.2.1(e) and (f) were drafted to address these issues. Ms. Long and Mr. Anderson were directed to submit further clarifications of the language in these sections for discussion of this issue at the March 21, 1997, meeting.

Section 6.2.1(c)

The Committee agreed to change this section to read as follows: "All fees shall be paid by the laboratory as required by the secondary accrediting authority."

Section 6.2.1(f)(2)

The Committee considered that the terminology "appropriate and immediate action" was interpretative and agreed to change this section to read as follows: "Take appropriate and immediate action as set forth in Chapter 4..." Chapter 4 will address the "due process" requirements of "appropriate action."

CONCLUSION

Mr. Anderson concluded the meeting by thanking the Committee members and participants for helpful discussions. On the basis of discussions at this and subsequent teleconferences, Mr. Anderson and Ms. Long will prepare a clean draft of Chapter 6 for voting at the NELAC Annual Meeting. As a commenter suggested at NELAC Iii, the draft to be submitted for NELAC III will include additional headings so that sections can be located more easily. The Committee concurred that Mr. Anderson and Ms. Long were doing a fine job keeping up with the weekly revisions of Chapter 6.

NEXT TELECONFERENCE

The next teleconference is scheduled for Friday, March 21, 1997, from 1:00 to 3:00 p.m., Eastern Standard Time.

ACTION ITEMS
Accrediting Authority Committee Meeting
March 13, 1997

Item No.	Action	Date Completed
1	Mr. Anderson will discuss the relevance of the flow chart developed by Ms. Shields for inclusion in Chapter 6.	04/10/97
2	Mr. Anderson and Ms. Long will rewrite Chapter 6 to indicate that an accrediting authority will be required to have satisfactorily completed an on-site audit before entering into reciprocal agreements with another accrediting authority.	03/17/97
3	Mr. Anderson and Ms. Long will add a sentence to reflect that the ultimate decision for NELAP-recognition rests with the NELAC Director.	03/17/97
4	Mr. Anderson and Ms. Long will rewrite sections addressing the composition of the NELAP assessment team to indicate that the government members must represent the majority of the team.	03/17/97
5	Dr. Bucholz will report to the Committee his discussions at the National Tribal Environmental Council meeting.	
6	Mr. Anderson and Ms. Long will revise Section 6.2.1(c) to read: "All fees shall be paid by the laboratory as required by the secondary accrediting authority."	03/17/97
7	Mr. Anderson and Ms. Long will revise Section 6.2.1(f)(2) to read: "Take appropriate and immediate action on the laboratory as set forth in Chapter 4 ..."	03/17/97

LIST OF COMMITTEE MEMBERS/MEETING PARTICIPANTS
Accrediting Authority Committee Meeting
March 13, 1997

Name	Affiliation	Phone/Fax/E-mail
John Anderson	Illinois EPA, Division of Laboratories	Tel: 217-782-6455 Fax: 217-524-0944 E-mail: epa6103@epa.state.il.us
Roger Bucholz	Red Hawk Laboratory, Inc.	Tel: 703-684-4468 Fax: 703-548-9446 E-mail: 500hawk@500hawk.com
Maude Bullock (absent)	Department of the Navy	Tel: 703-602-1738 Fax: 703-602-5547 E-mail: bullockm@n4.opnav.navy.mil
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Jim Meyer	NC EHNRR/DEM Chemistry Lab	Tel: 919-733-3906 Fax: 919-733-6241 E-mail: NA
Aurora Shields (absent)	Kansas Dept. of Health and Environment	Tel: 913-296-6196 Fax: 913-296-1641 E-mail: laportela@aol.com
Bob Wyeth	RECRA Environmental, Inc.	Tel: 716-691-2600 Fax: 716-691-2617 E-mail: labnet@recra.com
Carol Madding (substitute for Mary Ann Feige)	USEPA, Cincinnati	

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Accrediting Authority Committee Meeting

March 13, 1997

Name	Affiliation	Phone/Fax/E-mail
Jeri Long	Illinois EPA, Division of Laboratories (Assistant to the Chair)	Tel: 217-782-6455 Fax: 217-524-0944 E-mail: epa6110@epa.state.il.us
Jack McKenzie (substituting for Aurora Shields)	Kansas Dept. of Health and Environment	

AGENDA
Accrediting Authority Committee Meeting
March 13, 1997

11:00 a.m. - 1:00 p.m. - Eastern Standard Time

11:00 a.m. Welcome and reintroductions. Special welcome to Roger Bucholz. Each of us to share a good experience (not necessarily work-related) that took place since NELAC Iii.

Report on conversations John Anderson had with Jeanne Mourrain, Charles Hartwig, Carol Batterton, and Bob Stephens regarding issues affecting Chapter 6.

Start systematic review of Accrediting Authority Committee meeting minutes. We will start with the minutes of the February 4, 1997, meeting, followed by the February 5, 1997, meeting.

12:45 p.m. Review progress. Make assignments for next meeting.

1:00 p.m. Automatic shut-off of teleconference.